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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/674,379 | 10/01/2003 | Naoki Shimada | 03500.013347.1 | 4398 |
| 5514 | 7590 | 03/09/2005 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 | | | GARCIA, GABRIEL I | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2624 | |

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/674,379 | SHIMADA, NAOKI | |
| | Examiner | Art Unit | |
| | Gabriel I Garcia | 2624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 31-45 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

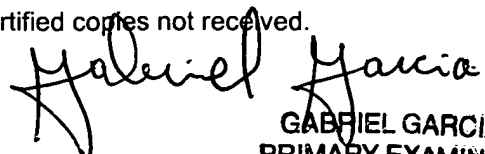
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/253,512.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


GABRIEL GARCIA
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/01/03</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: ____.</p> |
|--|---|

Part III DETAILED ACTION.

1. This application has been examined. Claims 31-45 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 31-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry et al. (6,657,741).

With regard to claim 31, Barry et al. teaches an information processing apparatus (10) for causing a plurality of printers (16) to execute printing, said apparatus comprising:

a discrimination unit (col. 1, lines 54-64), arranged for discriminating whether a document comprising a plurality of pages is to be printed as a plurality of copies or as a single copy (e.g. fig. 5, and col. 1, lines 54-64, col. 3, lines 14-34, and col. 6, lines 15-44, the workstation detect how many copies are needed for each print job); and a print data unit (e.g. 42, 42, and 52), arranged for generating print data for causing the plurality of printers to print the document copy by copy if said discrimination unit discriminates that the document is to be printed as a plurality of copies, and generating print data for causing the plurality of printers to print the document page by page if said discrimination unit discriminates that the document is to be printed as a single copy (e.g. fig. 5, and col. 1, lines 54-64, col. 3, lines 14-34, and col. 6, lines 15-44, the print job can be executed as a single copy job using only one printer or engine as depicted in step 234, or a multiple copy using multiple engines as depicted in step 240, and col. 1, lines 54-64).

With regard to claim 32, Barry et al. further teaches wherein if said discrimination unit discriminates that the document is to be printed as a single copy, said print data unit divides the number of pages of the document by the number of printers to

obtain a number of print pages for each printer and generates the print data based on the obtained number of print pages (e.g. fig. 5, and col. 1, lines 54-64, col. 3, lines 14-34, and col. 6, lines 15-44, the print job can be executed as a single copy job using only one printer or engine as depicted in step 234, or a multiple copy using multiple engines as depicted in step 240, and col. 1, lines 54-64, and the different pages could be printed by different printers or print engines, see fig. 5).

With regard to claim 33, Barry et al. further teaches a transmission unit (14) arranged for transmitting the print data generated by said print data unit to the printers (16) (see fig. 1-3).

With regard to claim 34, Barry et al. further teaches wherein the printers include an ink jet printer (e.g. col. 4, lines 12-19 and col. 6, lines 13-14, a color print engine can be an ink jet printer).

With regard to claim 35, Barry et al. further teaches a second discrimination unit (as depicted in fig. 5) arranged for discriminating whether copy-by-copy printing is designated, if said discrimination unit discriminates that the document is to be printed as a plurality of copies, wherein said print data unit generates the print data for causing the plurality of printers to print the document copy by copy if said second discrimination

unit discriminates that the copy-by-copy printing is designated, and generates print data for causing the plurality of printers to print the document page by page if said second discrimination unit discriminates that the copy by-copy printing is not designated (e.g. fig. 5, and col. 1, lines 54-64, col. 3, lines 14-34, and col. 6, lines 15-44, the print job can be executed as a single copy job using only one printer or engine as depicted in step 234, or a multiple copy using multiple engines as depicted in step 240, and col. 1, lines 54-64).

With regard to claims 36-45, the limitations of claims 36-45 are covered by the limitations of claims 31-35 above (the means of claims 31-35 perform the steps of claims 36-45, which could be programmed to perform the method and computer program of claims 36-45).

Conclusion

4 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fischer et al. (6,075,617) teaches a banner page detection and handling mechanism.

Fall et al. (5,764,863) teaches a multiple original copy data printer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (703) 305-8751. The examiner can normally be reached Monday thru Thursday from 7:30AM-6:00PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-0377.

A handwritten signature in black ink that reads "Gabriel Garcia". The signature is written in a cursive style with a large, looped initial "G".

Gabriel I. Garcia
Primary Examiner
March 3, 2005

GABRIEL GARCIA
PRIMARY EXAMINER